REMARKS

Claims 1-30 are pending in the present application and all stand finally rejected. Applicants respectfully request reconsideration of the objections and rejections in light of the following comments.

The amendment filed December 8, 2003, was objected under 35 U.S.C. §132 based on the assertion that new matter was added. In particular, the Office Action asserts that the addition of the word "enforced" to the specification showing its equivalence to the word "enforced" is new matter. The Applicants respectfully disagree. First, the original claims included the term "enforced sequence" and, thus, this term itself is not new matter. Additionally, the term "required sequence" was used in the original specification to describe the same claimed concept as "enforced sequence." Thus, this amendment was mere rephrasing of the original description, which is not considered new matter under proper examination procedure (See MPEP §2163.07). Moreover, the terms "required" and "enforced" are not "quite different" as alleged in the Office Action. The Office action expediently referred to only certain definitions of these words from the dictionary. In fact, referring to the same dictionary, a definition of "required" is to "compel", which is also a definition of "enforce" in this dictionary, and this is the import of the meaning of these terms in the present specification. Thus, these words are, in fact, synonymous as used in the specification. Accordingly the Applicants respectfully request reconsideration and withdrawal of this objection.

The previous rejection of claims 1, 3-13, 16, and 18-28 under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the enablement requirement has been maintained. It is not clear in the final Office Action, however, why these rejections are maintained except for a resort to a blanket statement in paragraph 3 of the Office Action. The reasons therein, however, are generic and do not specifically address the Applicant's previous arguments. Thus, the Applicants again respectfully traverse for the same reasons presented below.

Specifically, the Office Action alleges that the specification does not address "enforced sequence of tasks." Applicants respectfully traverse this rejection and submit that the "required sequence" discussed on page 7, line 27, is an example of the enablement of this claim term in the original specification. Nonetheless, this line of the specification has been amended to more

clearly indicate the equivalents of the term required and "enforced," which, as discussed above, is not new matter. Accordingly, Applicants respectfully request reconsideration of withdrawal of this rejection.

Claims 4, 10, 19, and 25 were rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to comply with the enablement requirement due to an alleged failure to address "required leaf task." Applicants respectfully traverse this rejection and submits that first leaf tasks are clearly defined on page 8, line 6-7 of the specification. Additionally, steps 454 and 456 in Fig. 4c teach one of ordinary skill in the art to make and use this feature. Specifically, step 454 includes a check to determine whether a current task is a leaf task and subsequent step 456 checks to determine whether this leaf task is required. Thus, Applicants respectfully submits that this term is enabled by the specification to teach one of ordinary skill in the art to make and use the features of these claims.

Claims 5, 11, 20, and 26 were rejected under §112, first paragraph, based on the allegation that the specification does not address "non-required leaf tasks." Applicants respectfully traverse this rejection and submits that steps 454 and 456 of Figure 4c again enabling one of ordinary skill in the art to make and use this feature. In particular, step 454 determines if the current task is a leaf task. If so, the algorithm determines in step 456 whether the current task is required. If the current task is not required then, *a priori*, the result is a determination of a non-required leaf task. Accordingly, Applicants respectfully submit that this term is enabled in accordance with the requirements of §112, first paragraph, and request that the rejection be withdrawn.

Claims 6, 12, 21, and 27 were rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to enable the term "complete, non-leaf task." Applicants respectfully traverse this rejection and submits that steps 454 and 466 of Figure 4c, as an example enables this claimed feature. In particular, step 454 determines whether or not a current task is a leaf task. If the task is not a leaf task then, logically, this task is a non-leaf task. Additionally, in subsequent step 466 at determination as to whether the current task, which, by virtue of the decision in step 454, is a non-leaf task, is complete. Thus, the term "complete, non-leaf tasks" is enabled to one of ordinary skill in the art in order to make and use this claimed feature. Accordingly, Applicants

respectfully submit that this term is enabled and request the withdrawal of the rejection, accordingly.

Claim 7, 13, 22, and 28 were rejected under 35 U.S.C. §112, first paragraph, as allegedly failing to enable the term "incomplete, non-leaf tasks." Applicants respectfully traverse this rejection and submits that, as discussed above, step 454 or Figure 4c, as an example, teaches one of ordinary skill in the art to determine between leaf and non-leaf task. Further, step 466 determines whether or not non-leaf task or complete or incomplete. Accordingly, Applicants respectfully submit that this term is enabled according to the requirements of §112, first paragraph and request that this rejection be withdrawn, accordingly.

Claims 1-28 were again rejected under 35 U.S.C. §101 due to an allegation that the claims lack patentable utility. The Office Action now states that issue is that these claims are not tangibly embodied in the practical application of the technological arts. However, as argued previously, the claimed methods of independent claims 1 and 14, for example, generate a list of possible statements in response to the received statement for the learner to make from the statements contained within the dynamic data model. Such a list of possible statements is indeed a useful, concrete and tangible result and, thus, these claims do not run afoul of the requirement of 35 U.S.C. §101. Additionally, this method is described as being preformed with an embodied, tangible system as shown in FIG. 3, for example. Moreover, statements in the Office Action evince a misunderstanding of the claimed subject matter by merely honing in on the "dynamic data model," thus apparently failing to look at the whole claim. The provision of a data model in achievement of statements that are concrete and tangible, does not render the whole claim unpatentable under §101. Accordingly, the Applicants respectfully request reconsideration and withdrawal of this rejection.

Claims 1-30 were again rejected under 35 U.S.C. §102(e) as being anticipated by Lannert et al. (U.S. Patent No. 6,029,156). Applicants again respectfully traverse this rejection for the following reasons.

The Office Action asserts that Lannert et al. discloses all of the elements of claims 1, 14 and 29. In particular, the Office Action asserts that Lannert et al., among other things, teaches generation of a list of possible statements in response to a received statement for a learner to make from statements contained within a dynamic data model. In support of this assertion, the

Office Action references column 11, lines 23-36 of Lannert. The teachings of Lannert, however, do not actually teach generation of a list of possible statements in response to a received statement for the learner to make from the statements contained within a dynamic data model as featured in the claim, but rather, merely teaches in general terms a simulation model. The Intelligent Coaching Agent (ICA) taught by Lannert, for example, merely generates feedback based on a set of rules. This feedback, even though it may be software initiated, nonetheless is not taught or suggested to be akin to code that generates a list of possible statements in response to a received statement from a learner, which are for use by the learner to make in the simulation. Lannert only teaches that it is feedback and this disclosure does not teach or suggest effecting a simulation that provides list of possible statements for a learner to then make in the simulation. Accordingly, Applicants respectfully submit that this element, for example, is not taught or suggested by Lannert et al. Accordingly, Applicants respectfully submit that independent claims 1, 14 and 29 are allowable over the prior art of record.

With respect to dependent claims 2-13, 15-28 and 30, these claims are submitted to be allowable on their merits and at least due of their dependency on independent claims 1, 14 and 29, respectively.

In light of the foregoing remarks, Applicants respectfully submits that the application is in condition for allowance and request that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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